

Talking Points: American Jobs Act (from HQ Sept 21, 2011)

- To create more jobs right now, the President has unveiled the American Jobs Act – a set of ideas supported by both Democrats and Republicans that Congress must pass right away.
- The purpose of this package is simple: put more people back to work, including teachers, first responders, and construction workers, and to put more money in the pockets of working Americans. This will lead to new American jobs, and it won't add a dime to the deficit.
- The American Jobs Act proposed by the President will:
 - cut taxes for small businesses, the engines of job creation, to help them hire and grow;
 - put more money in the pockets of working and middle class Americans;
 - put more people back to work --teachers laid off from state budget cuts, veterans returning from Iraq and Afghanistan, first responders, and construction workers rebuilding our roads and bridges, and schools; and
 - help the long term unemployed, by helping them support their families while they look for work and reforming the system to better connect them to real jobs.
- The American Jobs Act is:
 - o based on bi-partisan ideas;
 - o it is fully paid for by closing corporate tax loopholes and asking the wealthiest Americans to pay their fair share; and
 - o it will have an impact on job and economic growth NOW – just as soon as Congress acts.
- Every day, people in this country are working hard to meet their responsibilities. The question now is whether Washington will meet theirs.
- The time for obstruction and gridlock is over. Congress needs to put country ahead of politics.
- The American people know that the economic crisis and the deep recession weren't created overnight and won't be solved overnight. The economic security of the American middle class has been under attack for decades.
- That's why President Obama believes we need to do more than just recover from this economic crisis.

- The President is rebuilding the economy the American way -- based on balance, fairness and the same set of rules for everyone from Wall Street to Main Street where hard work and responsibility pay and gaming the system is penalized.
- It's an American economy that's built to last and creates the jobs of the future, by forcing Washington to live within its means so we can invest in small business entrepreneurs, education, and making things the world buys, not outsourcing, loopholes and reckless financial deals that put middle class security at risk.
- The American Jobs Act, part of the President's strategy to rebuild the economy, is something that Congress can do to create more jobs and put more money in people's pockets right now.

Talking Points: Jobs Speech and Clean Energy (from HQ)

- From his first day in office, the President has advocated for an aggressive clean energy agenda. He believes the countries that lead the clean energy economy will be the countries that lead the 21st century global economy.
- The Administration knows from experience that investments in clean energy technologies are a win-win-win for our country and for American families. Not only do these investments help to reduce our dependence on oil, enhance our energy security, and curb dangerous pollution – they catalyze economic growth and create quality, American jobs that cannot be exported.
- The President recently delivered a speech before a joint session of Congress to discuss a suite of immediate job creation ideas. The President's plan includes a combination of direct spending, such as infrastructure investments, and tax relief, such as an extension of the payroll tax cut. Obviously, components of these programs – including school modernization – are green job creators.
- While the President did not outline detailed energy proposals in this speech, he did reiterate the Administration's continued commitment to a robust clean energy agenda.
- To be clear, we continue to stand by and support our existing budget proposals to promote commercial and residential retrofits, and provide incentives for domestic clean energy manufacturers, advanced vehicles, cutting edge R&D, and renewable sources of energy.
- The Administration is also looking at a number of new clean energy jobs ideas to lay out this Fall as part of our comprehensive effort to create the jobs of the future.
- This will provide an opportunity for the Administration to once again make the case to the American people that clean energy has tremendous potential to grow our economy, create a more secure energy future, and protect the environment and public health.

Talking Points CWA (from HQ, May, 2011)

Recognizing the importance of clean water and healthy watersheds to our economy, environment and communities, the Obama administration released a national clean water framework that showcases its comprehensive commitment to protecting the health of America's waters.

- Clean water provides critical health, economic and livability benefits to American communities.
 - Over the past decade, interpretations of Supreme Court rulings have removed some critical waters from Federal protection, and caused confusion about which waters and wetlands are protected from pollution and development.
 - As a result, many important waters now lack clear protection under the law, and businesses and regulators face uncertainty and delay.
 - Yesterday, we released draft guidance that clarifies where the Clean Water Act applies nationwide.
 - This guidance will replace previous guidance that was unnecessarily restrictive. It will help restore protection to critical waters and provide clearer, less burdensome guidelines for determining which water bodies we can keep safe from pollution and other pressures.
 - The draft guidance will be transparently developed and is open for 60 days of public comment. This will allow all stakeholders -- including communities and industry -- to provide input and feedback.
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- □□□□ And EPA and the Corps will follow up the final guidance with rulemaking to provide additional opportunity for comment on the scope of clean water protections, and to clarify Clean Water Act regulations to reflect the latest understanding of the application of the law.



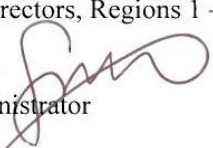
UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
WASHINGTON, D.C. 20460

September 22, 2011

OFFICE OF
AIR AND RADIATION

MEMORANDUM

TO: Air Division Directors, Regions 1 – 10

FROM: Gina McCarthy 
Assistant Administrator

SUBJECT: Implementation of the Ozone National Ambient Air Quality Standard

The purpose of this memorandum is to clarify for state and local air agencies the status of the ozone National Ambient Air Quality Standard (NAAQS) and to outline implementation steps moving forward. With the recent decision on the reconsideration of the ozone NAAQS, the current ozone NAAQS is 0.075 ppm. This standard will provide additional public health and welfare protection until the next regular review is completed, and EPA fully intends to implement this current standard as required under the Clean Air Act.¹

As I will describe below in more detail, EPA is moving ahead with certain required actions to implement the 2008 standard, but will do so mindful of the President's and Administrator's direction that in these challenging economic times EPA should reduce uncertainty and minimize the regulatory burdens on state and local governments. EPA is also continuing to implement and develop federal rules and other programmatic actions to reduce emissions that contribute to smog and improve air quality and public health across the nation.

Area Designations

EPA is proceeding with initial area designations under the 2008 standard, starting with the recommendations states made in 2009 and updating them with the most current, certified air quality data. We expect to issue our proposed changes to the states' recommendations (the "120-day letters") later this fall. We will quickly initiate and complete a rulemaking to establish nonattainment area classification thresholds so that we can finalize the designations. While we intend to take into consideration all comments we receive on the proposed rule, we note that we used a "percent above the standard" approach for classification under the 1997 ozone standard and believe that remains a reasonable approach.

¹ Note that the 2008 standard is under legal challenge. EPA has recently indicated to the Court that it does not object to the establishment of a briefing schedule in that litigation and has provided a schedule for the Court to consider.

Based on our initial review of ozone air quality data from 2008-2010, 52 areas monitor air quality that exceeds the 0.075 ppm standard. This preliminary review shows considerably fewer areas not meeting the 2008 standard than the number identified in 2009 when states made their recommendations. Using the "percent above the standard" classification approach, 43 of the 52 areas would fall into the Marginal category. As you know, many of the mandatory measures under the Clean Air Act are not required for Marginal areas since they are expected to achieve attainment within 3 years. In addition, EPA's modeling indicates that approximately half of the 52 areas would attain the 0.075 ppm standard by 2015 (the expected attainment deadline for Marginal areas) as a result of the emission-reducing rules already in place.

Because we have states' 2009 recommendations and quality assured ozone data for 2008-2010, there is nothing that state or local agencies need to do until we issue the 120-day letters later this year, though of course, states are welcome to contact us to discuss specific issues at any time. We expect to finalize initial area designations for the 2008 ozone NAAQS by mid-2012. However, we note that EPA currently faces litigation with respect to the timing of the designations and expects that the resolution of the litigation may well affect the precise timing of the schedule for designations.

Planning Requirements and Other Required Submissions

We will begin an expedited rulemaking to outline the implementation requirements for the 2008 standard in the very near future. The rule will be as straightforward and simple as we can make it. As you know, the Clean Air Act provides several years for states to develop their State Implementation Plans (SIPs) and to implement any mandatory measures. However, several deadlines for some state submissions have already passed, including the infrastructure SIPs and interstate transport SIPs. There are few requirements for Marginal areas beyond those SIPs.

EPA does not intend to penalize states for the passage of time, but we may also face litigation on these issues. In negotiating schedules for expeditious completion of required elements, we will seek to minimize any administrative burden on states associated with these requirements. To the extent that states are already engaged or would like to get started with clean air programs to address the standard, we will provide assistance with guidance and model language on rules or other programs, such as energy efficiency.

Federal Actions to Reduce Emissions

EPA will continue to move forward with implementation and development of federal rules that reduce emissions of pollutants that contribute to smog and threaten public health. These actions include recently promulgated rules that lower NO_x and VOC emissions such as the Cross-State Air Pollution Rule (CSAPR), the Portland Cement Rule, and Light and Heavy Duty Vehicle standards. They also include rules under development such as the Maximum Achievable Control Technology (MACT) standards for Boilers, the Mercury and Air Toxics Standards (MATS) for power plants, the New Source Performance Standards (NSPS) for Commercial Incinerators/Solid Waste Incinerators (CISWI) and the Oil/Gas sector, and the Tier 3 vehicle and fuel standards. These federal actions will ensure steady forward progress to clean up the nation's air and protect the health of American families, while minimizing and in many cases eliminating the need for states to use their scarce resources on local actions.

The Next Ozone Review

The next regular review of the health and welfare science is well underway. EPA will propose any appropriate revisions in the fall of 2013 and finalize any revisions to the standard in 2014. Attached to this memorandum is a schedule that lays out the upcoming steps in that review.

I hope this memorandum has answered some of the most immediate questions. Please distribute this memo to state and local air agencies in your Region. We will be providing opportunities for further discussion and questions with state and local officials in the coming weeks.

Attachment